



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Craig Heacock et al.

Serial No.: 10/616,776

Group Art Unit: 1614

Filing Date: July 10, 2003

Examiner: Not Yet Known

For: MODAFINIL PHARMACEUTICAL COMPOSITIONS

DATE OF DEPOSIT: December 10, 2003

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Dear Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F. R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98,
information relating to the above-identified application is hereby disclosed. Inclusion of
information in this statement is not to be construed as an admission that this information is
material as that term is defined in 37 C.F.R. § 1.56(b).

- 1a. ☒ In accordance with §1.97(b), since this Information Disclosure Statement is
being filed either within three months of the filing date of the above-identified
application, within three months of the date of entry into the national stage of
the above-identified application as set forth in § 1.491, or before the mailing
date of a first Office Action on the merits of the above-identified application
whichever occurs last, no additional fee is required.

- b. ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first, therefore:
- ☐ Certification in accordance with § 1.97(e) is attached; or
 - ☐ The fee of **\$180.00** as set forth in § 1.17 (p) is attached.
 - ☐ The Commissioner is authorized to charge payment of the fee of **\$180.00** as set forth in § 1.17(p) from Deposit Account No. 03-1195.
- c. ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the period specified in § 1.97(d) but on or before the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of **\$130.00** as set forth in § 1.17(i)(1).
- d. ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second after final rejection, therefore:
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 - ☐ The Commissioner is authorized to charge payment of the fee of **\$180.00** as set forth in § 1.17(p) from Deposit Account No. 03-1195.
- 2a. ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- These references were cited as “A” references in an International Search Report in a counterpart foreign application.
- b. ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith, EXCEPT THAT:
- ☐ In view of the voluminous nature of references **[list as appropriate]**,

and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

- ☐ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

3a. ☒ All listed references are in the English language.

- b. ☐ Reference { } is not in the English language and enclosed is:
- _____ an English translation
- _____ an English language abstract
- _____ a concise explanation of its relevance

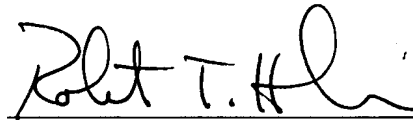
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Date: December 10, 2003



Robert T. Hrubiec
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number	10/616,776
Filing Date	July 10, 2003
First Named Inventor	Craig Heacock et al.
Art Unit	1614
Examiner Name	Not Yet Known
Attorney Docket Number	CP241

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U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ² *Number ⁴ *Kind Code ⁵ (if known)	MM-DD-YYYY			
	B4	WO 00/37055	06-29-00	Qui et al.		

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet

2

of

2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

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